IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.10186 OF 2004

Mr.A.Y.Sakhare, Sr.Adv. h/f Ms.Varsha Palav for the Petitioner.

Mr.A.B.Borkar for Respondents Nos. 1 & 2.

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions	Court's or Judge's orders
	CORAM: D.K.DESHMUKH, J.
	DATED: 6TH JULY,2005
P.C.:	
	By the order impugned , counter claim filed by the Defendant/ Petitioner has been rejected for the reasons that the cause of action for making that claim had arisen after the written statement was filed. In view of the judgment of the Supreme Court in the case of Mahendra Kumar and anr. v/s. State of Madhya Pradesh and ors., (1987) 3 Supreme Court Cases, 265, no exception can be taken to the reasons given by the learned trial court. Petition is rejected.

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